

Senate Bill No. 672

Passed the Senate September 4, 2013

Secretary of the Senate

Passed the Assembly September 3, 2013

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2013, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 18901.1 to the Welfare and Institutions Code, relating to CalFresh.

LEGISLATIVE COUNSEL'S DIGEST

SB 672, Leno. CalFresh: eligibility: guidelines.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which nutrition assistance benefits are allocated to each state by the federal government. Under existing state law, the CalFresh program, California's federal allocation is distributed to eligible individuals by each county. Existing law requires that the eligibility of households be determined to the extent permitted by federal law, and requires the State Department of Social Services to establish a program of categorical eligibility for CalFresh in accordance with federal law. Existing law requires each county welfare department to carry out the local administrative responsibilities of this program, subject to the supervision of the department and to rules and regulations adopted by the department.

This bill would require the department to issue guidance to simplify the verification of dependent care expense deductions necessary to determine a household's eligibility for, or the benefit level of, CalFresh. The bill would require that the guidance establish that dependent care expenses shall be considered verified upon receipt of a self-certified statement of monthly dependent care expenses, unless federal law requires, or the county human services agency requests, additional documentation, as specified. The bill would authorize the department to implement these provisions by all-county letters or similar instructions until regulations are adopted, and would require the department to adopt regulations on or before January 1, 2015.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to support an increase in CalFresh benefits for low-income working families by simplifying the verification of their dependent care expenses.

SEC. 2. Section 18901.1 is added to the Welfare and Institutions Code, to read:

18901.1. (a) The department shall issue guidance to simplify the verification of dependent care expense deductions necessary to determine a household's eligibility for, or the benefit level of, CalFresh. The guidance shall establish that dependent care expenses shall be considered verified upon receipt of a self-certified statement of monthly dependent care expenses, unless federal law or guidance requires additional documentation.

(b) This section shall not preclude the county human services agency from requesting additional documentation to verify a dependent care expense deduction if the verification received is questionable.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), until regulations are adopted, the department may implement this section through all-county letters or similar instructions. The department shall adopt regulations implementing this section on or before January 1, 2015.

Approved _____, 2013

Governor